

Allan Chan & Associates

Attorney at Law

February 17, 2021

Honorable Edgardo Ramos
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007
Via Electronic Filing

Re: Amimon Inc. and Amimon LTD v. Shenzhen Hollyland Tech Co. et al.
Civil Case No. 1:20-cv-09170-ER

Honorable Judge Ramos:

Our firm represents EC Pro Video Systems Inc., (hereinafter “EC Pro”). We participated in a conference on January 28, 2021. During that conference, we asked that Plaintiff provide the Defendant with the Source Code they allege was misappropriated and infringed by EC Pro. We stated to the court that a secrecy order could be utilized, and the Source Code could be sealed and/or “for attorneys’ eyes only”.

The Court informed the parties to work out the details for disclosing the Source Code. On February 3, 2021, we sent an email to plaintiff’s counsel requesting that the Source Code be disclosed, and secrecy details be worked.

Plaintiff’s counsel failed to respond. Based on the fact that Plaintiff was amending its complaint, we delayed any further effort under the belief that possibly it would be part of the amended filing. The amended filing failed to include any disclosure of the Source Code, copyright or the purported trade secret.

The plaintiff’s amended complaint fails to assert any factual basis that EC Pro misappropriated or infringed upon Plaintiff’s copyright and trade secret. Since this case is based on the technical issues involving a software, it is essential that we have sufficient information to defend the lawsuit.

A redacted copyright filing, which defendant cannot determine what was copyrighted is insufficient. How can any court rule on a matter which it does not have before it. Plaintiff has also not provided the Court with information of what was infringed or misappropriated. Hypothetically, a song writer could bring a n infringement suit, and plead that a song was infringed. The infringer has a right to know what song was infringed. In the instant matter the plaintiff just states that defendant purposely took something, never detailing what intellectual property was misappropriated or infringed. The plaintiff fails to show what it is that is exclusive to the plaintiff.

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Respectfully,

A handwritten signature in black ink, appearing to read 'Allan Chan', is written over a horizontal line. The signature is fluid and cursive.

Atty number: 3975455